

COUNTY OF YORK

MEMORANDUM

DATE: January 29, 2002 (BOS Mtg. 2/19/02)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-588-02, Charity Ann Combs

ISSUE

Application No. UP-588-02 requests a special use permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize a beauty shop as a home occupation within a single-family detached dwelling located at 103 York Lane and further identified as Assessor's Parcel No. 24J-2C-27.

DESCRIPTION

- Property Owner: Charity Ann Combs
- Location: 103 York Lane
- Area: 0.42 acre
- Frontage: 133 feet on York Lane
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: Medium-density residential
- Zoning Classification: R20 – Medium density single-family residential
- Existing Development: Single-family detached home
- Surrounding Development:
 - North: Single-family detached home
 - East: Drainage and utility easement; single-family detached homes beyond
 - South: Single-family detached home
 - West: York Lane; single-family detached home beyond
- Proposed Development: Beauty shop as a home occupation

CONSIDERATIONS/CONCLUSIONS

1. The applicant lives in the Edgehill subdivision and wishes to operate a beauty shop in her home. Section 24.1-283 of the Zoning Ordinance requires a special use permit for any home occupations with on-premises retail sales, personal services, or customer/client contact, specifically including barber and beauty shops.
2. Section 24.1-281 of the Zoning Ordinance specifies a series of performance standards that apply to home occupations in general, and Section 24.1-283(b) sets forth additional standards that apply specifically to those home occupations for which a use permit is required. The general purpose of these standards is to limit the size, scale, and visibility of home occupations in order to ensure that they remain incidental and subordinate to the residential use of the property and to prevent adverse impacts on surrounding homes. Pursuant to these standards, home occupations are not permitted to occupy more than 25% of the floor area of the residence or 400 square feet, whichever is less. The applicant's home has approximately 2,600 square feet of floor area (including the garage), and the beauty salon will be limited to one 214-square foot area of the garage (8.2% of the floor area of the home). The Zoning Ordinance also limits the hours of operation to the period between 8:00 AM and 8:00 PM, Monday through Saturday, unless otherwise specified by the Board through a use permit condition. The applicant's proposed hours of operation are Tuesdays and Thursdays from 10:00 AM to 7 PM, Wednesdays and Fridays from 10:00 AM to 4:00 PM, and Saturdays from 10:00 AM to 2:00 PM.
3. According to the applicant, appointments would be approximately 30 to 45 minutes in length, on average, while some appointments, such as perms and hair coloring appointments, could last as long as two hours. The applicant estimates that there would be 6-8 such appointments in an average week. She has indicated that she will not schedule other appointments between these, and a condition has been included in the approving resolution specifying that only one customer may be served at a time. There would be no employees other than the applicant herself. Based on this information and the proposed hours of operation, staff estimates that the business would likely generate no more than 48 vehicle trips per week (assuming a full schedule of appointments on every workday). None of these trips would be in the AM peak hour and no more than six would be in the PM peak hour. By comparison, a typical single-family detached home would be expected to generate approximately ten (10) vehicle trips per day, which is comparable to 48 trips over a five-day period.
4. The subject property can accommodate both the residential parking requirement (two spaces) and the off-street parking demand generated by the proposed beauty shop (one space). The home has a one-car garage (excluding that portion of the garage dedicated to the beauty shop) and a driveway that can accommodate up to four cars.
5. In the past eleven years, the Board of Supervisors has approved seven applications for home barber and beauty shops (including one in Edgehill). For comparison purposes, relevant data for these seven home occupations are listed in the table below. As the

table indicates, the subject application will be less intensive than all but one of these approved home occupations based on the proposed 26 hours of operation per week.

| Approval Date | Location | Maximum Area | Days and Hours of Operation |
|---------------|--------------------|----------------|-----------------------------|
| 2/21/91 | Lotz Acres Estates | 125 square ft. | Monday-Saturday, 8 AM-8 PM |
| 10/17/91 | Hudgins Farm Drive | 240 square ft. | Monday-Saturday, 8 AM-8 PM |
| 4/16/92 | Hornsbyville Road | 240 square ft. | Monday-Saturday, 8 AM-8 PM |
| 10/15/92 | Running Man | 150 square ft. | Monday-Saturday, 8 AM-8 PM |
| 5/20/93 | Edgehill | 260 square ft. | Monday-Friday, 9 AM-5 PM |
| 8/16/95 | Carraway Terrace | 200 square ft. | Tuesday-Thursday, 9 AM-6 PM |
| 11/21/00 | Woods of Tabb | 150 square ft. | 3 days/week 9 AM-5 PM |

According to staff in the County's Zoning and Code Enforcement Division, there have been no complaints or compliance problems associated with any of these home beauty/barber shops.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on January 9, 2002, and, subsequent to conducting a public hearing at which only the applicant spoke, voted 7:0 to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

The proposed home occupation is a small-scale operation and is not likely to have any adverse impacts on the surrounding area. I am confident that the proposed conditions prohibiting non-resident employees and limiting the hours of operation are sufficient to ensure that it remains a small-scale operation, consistent with the intent of the home occupation provisions of the Zoning Ordinance. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R02-16.

Carter/3337

Attachments

- Excerpts of Planning Commission minutes of January 9, 2002
- Zoning Map
- Survey Plat
- Letter from Charity Combs received November 19, 2001
- Photo submitted by the applicant
- Beauty shop floor plan
- Proposed Resolution No. R02-16